

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X-----X

GILEAD SCIENCES, INC.,

Plaintiff,

-against-

ABRAHAM T. MORRISON,

Defendant.

X-----X

**DEFENDANT'S IDENTIFICATION OF
EXPERTS AND DISCLOSURE OF
EXPERT TESTIMONY PURSUANT TO
RULE 26(a)(2)(B)**

Docket No. 08 CV 0566 (DLC)(GWG)

Following are the names of experts that defendant intends to call at the time of trial:

(a) Dr. William Grace
36 7 Ave., Suite 511
New York, NY 10011

(b) Dr. Patrick Palton
99 University Ave.
New York, NY 10003

(c) Dr. Tony Chueng
Mt. Sinai Hospital
New York, NY

Please be advised that at this time defendant is not in possession of expert reports. Such reports will be exchanged as soon as they are received by defendant's counsel.

Dated: July 29, 2008
New York, NY

ALEXANDRA MISHAIL
Leavitt, Kerson & Duane
Attorneys for Plaintiff
99 Park Ave., Suite 800
New York, NY 10016
(212) 973-9339

STATE OF NEW YORK, COUNTY OF QUEENS

ss.:

STACEY SHOWALTER, being duly sworn says: I am not a party to the action, am over 18 years of age and reside at Queens County.

On July 29, 2008, I served a true copy of the annexed **DEFENDANT'S IDENTIFICATION OF EXPERTS AND DISCLOSURE OF EXPERT TESTIMONY PURSUANT TO RULE 26(a)(2)(B)**

in the following manner:

- ☐ **Service By Mail** by mailing the same in a sealed envelope, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:
- ☐ **Personal Service on Individual** by delivering the same personally to the persons and at the addresses indicated below:
- ☐ **Service by Electronic Means** by transmitting the same to the attorney by electronic means to the telephone number or other station or other limitation designated by the attorney for that purpose. In doing so I received a signal from the equipment of the attorney indicating that the transmission was received, and mailed a copy of same to that attorney, in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:
- ☐ **Overnight Delivery Service** by depositing the same with an overnight delivery service in a wrapper properly addressed. Said delivery was made prior to the latest time designated by the overnight delivery service for overnight delivery. The address and delivery service are indicated below:

Carmine Castellano, Esq.
Bainton McCarthy LLC
Attorneys for Plaintiff
26 Broadway
New York, NY 10004

Sworn to before me on July 29, 2008

s/Alexandra Mishail

Notary Public

s/Stacey Showalter

STACEY SHOWALTER

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LEAVITT, KERSON & DUANE

Attorneys for Defendant
99 Park Ave., Suite 800
New York, NY 10016
(212) 973-9339
Fax (212) 973-9494

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certified that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: July 29, 2008

Signature: s/Alexandra Mishail

Print Signer's Name Alexandra Mishail

Service of a copy of the within

is hereby admitted.

Dated:

.....
Attorney(s) for

PLEASE TAKE NOTICE

☐

**Notice of
Entry**

that the within is a (certified) true copy of a
entered in the office of the clerk of the within Court on

☐

**Notice of
Settlement**

that an Order of which the within is a true copy will be
presented for settlement to the Hon. _____ one of the Judges _____ of the
within named Court, at _____ on _____, 2008 at 9:30 _____ a.m.

LEAVITT, KERSON & DUANE
Attorneys for
99 Park Ave., Suite 800
New York, NY 10016
(212) 973-9339